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11 EDGAR RAFAEL NAVARRO CHAVOYA

12
13 IN THE UNITED STATES DISTRICT COURT
14 FOR THE EASTERN DISTRICT OF CALIFORNIA

15 UNITED STATES OF AMERICA,
16 Plaintiff,
17 vs.
18 EDGAR RAFAEL NAVARRO
19 CHAVOYA,
20 Defendant.

21 Case No. 1:21-cr-00314-JLT-SKO

22 **STIPULATION TO VACATE STATUS
23 CONFERENCE AND SET MOTION
24 BRIEFING SCHEDULE; ORDER**

25 Date: April 10, 2023
26 Time: 9:00 a.m.
27 Judge: Hon. Jennifer L. Thurston

28 IT IS HEREBY STIPULATED by and between the parties through their respective
17 counsel, Assistant United States Attorney Alexandre Dempsey, counsel for plaintiff, and
18 Assistant Federal Defender Erin Snider, counsel for Edgar Rafael Navarro Chavoya, that the
19 Court may vacate the status conference currently scheduled for January 18, 2023, at 1:00 p.m.
20 and set the following motion briefing schedule: motions due February 13, 2023; opposition due
21 March 13, 2023; reply due March 27, 2023; motion hearing on April 10, 2023, at 9:00 a.m.

22 The parties agree and request the Court find the following:

23 1. By previous order, this matter was set for a status conference on January 18,
24 2023.

25 2. The government has produced initial discovery, consisting of 575 Bates-marked
26 pages.

27 3. Defense counsel intends to file a motion to dismiss and requires time to prepare

said motion.

4. Defense counsel believes that failure to grant the above-requested continuance would deny her the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

5. The government does not object to the motion briefing schedule and is available for a motion hearing on April 10, 2023, at 9:00 a.m.

6. Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act.

7. For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, *et seq.*, within which trial must commence, the time period of January 18, 2023, to April 10, 2023, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(1)(D) and 3161(h)(7)(A) and (B)(iv).

IT IS SO STIPULATED.

Respectfully submitted,

PHILLIP A. TALBERT
United States Attorney

Date: January 11, 2023

/s/ Alexandre Dempsey
ALEXANDRE DEMPSEY
Assistant United States Attorney
Attorney for Plaintiff

HEATHER E. WILLIAMS
Federal Defender

Date: January 11, 2023

/s/ Erin Snider
ERIN SNIDER
Assistant Federal Defender
Attorney for Defendant
EDGAR RAFAEL NAVARRO CHAVOYA

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ORDER

IT IS SO ORDERED. The status conference currently scheduled for January 18, 2023, at 1:00 p.m. is hereby vacated. The defense shall file any motions by February 13, 2023; the government shall file its opposition by March 13, 2023; and the defense may file a reply by March 27, 2023. A motion hearing is set for April 10, 2023, at 10:00 a.m. The time period of January 18, 2023, to April 10, 2023, inclusive, is excludable pursuant to 18 U.S.C § 3161(h)(1)(D) and 3161(h)(7)(A) and (B)(iv).

Date: 1/12/2023

Sheila K. Oberto
Hon. Sheila K. Oberto
United States Magistrate Judge